

REDACTED

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

**COMMANDER KENNETH J.
WHITWELL,**

Plaintiff,

v.

REV. EDWARD J. SMITH,

Defendant.

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CIV. NO. 05-796-SLR

SPECIAL VERDICT

As part of your deliberations, please answer the following questions:

Proximate Cause

1. Were the actions the defendant the proximate cause of any damage to plaintiff?

Yes ✓

No _____

[If you answered "yes," go to question 2, if you answered "no," your deliberations have ended]

Damages

2. What dollar amount will fairly compensate plaintiff for any emotional distress, permanent injuries, bodily harm, humiliation, fear and anxiety, loss of earning capacity or medical expenses he has or will suffer as a result of the actions of defendant Smith?

\$ 6 million

[go to question 3]

Punitive Damages

3. Do you find that defendant Smith acted recklessly, intentionally or maliciously with regard to plaintiff?

Yes ✓

No

If you answered "Yes" and you wish to exercise your discretion to award punitive damages, enter below what you believe to be the amount of punitive damages which you believe is appropriate to punish and deter illegal conduct.

\$ 35 million

[Your deliberations now have ended]